



**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

DOUGLAS HANDSHOE)

v.)

CIVIL ACTION NO. 1:15cv382-HSO-JCG

VAUGHN PERRET, CHARLES LEARY &)
DANIEL ABEL, D/B/A/ TROUT)
POINT LODGE LTD OF NOVA SCOTIA)
& IN THEIR INDIVIDUAL CAPACITIES)
PROGRESS MEDIA GROUP LIMITED,)
MARILYN SMULDERS, TORSTAR)
CORPORATION, NATIONAL)
GEOGRAPHIC SOCIETY INC., & THE)
ASHOKA FOUNDATION)

**OPPOSITION TO DEFENDANTS LEARY AND PERRET MOTION FOR A SECOND
EXTENSION OF TIME TO DEFEND AND REQUEST FOR SANCTIONS FOR
DELAYING THE LITIGATION FOR AN IMPROPER PURPOSE**

COMES NOW INTO COURT, Plaintiff Douglas Handshoe, in his individual capacity and as Publisher of Slabbed New Media, LLC and submits this Motion in Opposition to Defendants Leary and Perrett Motion for a Second Extension of Time to Defend and Request for Sanctions for Delaying the Litigation for an Improper Purpose. Plaintiff respectfully requests that this Court DENY Defendant's request for additional time or in the alternative that Leary and Perret be made to file their answer no later than 11:59:59 pm September 18, 2016 via Counsel using the ECF system or face default in these proceedings.

BACKGROUND

Defendants are currently embroiled in three separate matters with Plaintiff, this instant matter, *In Re: Slabbed New Media*, a Chapter 11 Bankruptcy case before this Court and *Vaughn Perret, Charles Leary and Trout Point Lodge v Handshoe* in the Circuit Court of Hancock County Mississippi involving one of the component Canadian judgments that is at issue in this instant litigation subject to claims under the United States SPEECH Act that the Defendants are

attempting to enroll on the Judgment rolls of Hancock County Mississippi. That Circuit Court matter is now under advisement with the Honorable Judge Chris Schmidt and is the reason Defendants Leary and Perret seek to improperly delay this litigation.

On September 14, 2016, Defendant Leary on his and on behalf of licensed lawyer Vaughn Perret¹ improperly contacted the Court claiming that their Attorney Robert Wolford disappeared in what the Court construed as an attempt to file a motion via email.² Leary claimed that:

We have been unable to reach Mr. Wolford since September 2, 2016. We have tried email, phone calls, and phone messages. Apparently, the contact number available for him on the docket is no longer his law firm. We do not know if he is sick or has had some other emergency.

Leary and Perret now present, via “new” Counsel a bewildering maze of addresses and contact information for a well-established Gulf Coast attorney not unlike what they presented to Judge Samson via pro se motion on May 27, 2016 and then via their enrolled attorney Robert Wolford via motion dated July 24, 2016 and appearing in person on their behalf on July 28, 2016. Defendants Leary and Perret imply in their pleading that Attorney Wolford has abandoned this case and state he supplied incorrect contact information with this Court, highly unethical actions for a licensed attorney and a breach of the local rules of this Court. They also imply they had no knowledge of Wolford’s Broadwater Drive office address but for their “new” attorney Jason Purvis being able to locate Wolford practicing law this week using that address before the Harrison County Chancery Court via Mississippi Electronic Courts. Plaintiff notes that Defendants search for Wolford could have started at his correct office address, a course of action they did not mention taking in their email to this court or in their second request for an extension

¹ Perret’s credentials as a licensed lawyer in the State of New York are attached as Exhibit 1.

² The email chain is attached as Exhibit 2.

of time. Their claims of not knowing Welford's whereabouts are directly contradicted by the fact that Welford used his correct address at Broadwater Drive in the Leary and Perret objections to the Debtor's Disclosure Statements filed by Welford with the Bankruptcy Court.³

Further Defendants "new" attorney has actually been representing them for months trying to speed the Circuit Court matter involving the Copyright Component Judgement at controversy in this instant matter to a conclusion while his clients attempt to play a game of whack a mole with their "previous" lawyer's various past and current office addresses before this Court. However, Attorney Purvis has attempted at least once, before enrolling in this instant matter to settle it via a grand resolution of the Circuit Court case.⁴ He certainly bears far more than a passing familiarity with the facts of this matter. Additionally Leary and Perret were served with the original and first amended complaints on May 10, 2016 and have had over four months to prepare their defense in this matter including 42 days since being served with the Second Amended Complaint.

³ The Objection and Bankruptcy Court Minute Entry showing Welford's appearance at the hearing are attached as Exhibit 3

⁴ Purvis' offer on behalf of Leary and Perret to settle this case and others on September 6, 2016 is attached as Exhibit 4

Plaintiff prays this Court DENY Defendant's request for additional time or in the alternative that Leary and Perret be made to file their answer no later than 11:59:59 pm September 18, 2016 via Counsel using the ECF system or face default in these proceedings and order them to show cause why they should not be sanctioned for delaying this litigation for an improper purpose.

Respectfully submitted this 16th day of September, 2016,



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CERTIFICATE OF SERVICE

I, Douglas Handshoe, hereby certify that on September 16, 2016, the foregoing was sent for electronically filing by me via the Clerk of the Court using the ECF system which sent notification to all counsel of record upon filing by the Clerk.

Respectfully submitted this 16th day of September, 2016,



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